



DAC \$  
DIVISION

**FEE TRANSMITTAL**  
**for FY 2004**  
**(Large Entity)**

<b>FEE TRANSMITTAL</b> <b>for FY 2004</b> <b>(Large Entity)</b>		<b>Complete if Known</b>	
		Application Number	09/725,957
		Filing Date	November 30, 2000
		First Named Inventor	Linda J. Harris
		Examiner Name	David H. Kruse
Group Art Unit		1638	
Total Amount of Payment	(\$)1972	Attorney Docket Number	2315-115

**METHOD OF PAYMENT (check one)**

1. ☒ The Commissioner is hereby authorized to charge additional fees and credit any overpayment to Deposit Account Number 02-2135 in the name of Rothwell, Figg, Ernst & Manbeck
- ☒ Charge any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status
2. ☒ Payment Enclosed
- ☒ Check (\$1882)
- ☐ Credit Card

**FEE CALCULATION**

**1. FILING FEE**

Fee Code	Fee \$	Fee Description	Fee Paid
1001	770	Utility filing fee	[ ]
1002	340	Design Filing Fee	[ ]
1003	530	Plant Filing Fee	[ ]
1004	770	Reissue Filing Fee	[ ]
1005	160	Provisional Filing Fee	[ ]

**SUBTOTAL \$**

**CLAIMS**

Paid	Extra Claims	Fee	Fee
Total Claims [ ] - 20** = [ ] x \$18 = [ ]			
Independent Claims [ ] - 3** = [ ] x 86 = [ ]			
Multiple Dependent Claims + 290 = [ ]			

\*\*or number previously paid, if greater;

**SUBTOTAL \$**

08/25/2004 DALLEN 00000037 09725957

01 FC:1461

1882.00 OP

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

Fee Code	Fee Paid	Fee Description	Fee Paid
1051	130	Surcharge - late filing fee or oath	[ ]
1052	50	Surcharge - late provisional filing fee or cover sheet	[ ]
1053	130	Non-English specification	[ ]
1812	2,520	For filing a request for reexamination	[ ]
1804	920	Requesting publication of SIR prior to Examiner action	[ ]
1804	1,840*	Requesting publication of SIR after Examiner action	[ ]
1251	110	Extension for reply within first month	[ ]
1252	420	Extension for reply within second month	[ ]
1253	950	Extension for reply within third month	[ ]
1254	1,480	Extension for reply within fourth month	[ ]
1255	2,010	Extension for reply within fifth month	[ ]
1401	330	Notice of Appeal	[ ]
1402	330	Filing a brief in support of an appeal	[ ]
1403	290	Request for Oral Hearing	[ ]
1451	1,510	Petition to institute a public use proceeding	[ ]
1452	110	Petition to revive -unavoidable	[ ]
1453	1,330	Petition to revive - unintentional	[ ]
1501	1,330	Utility issue fee (or reissue)	[ ]
1502	480	Design issue fee	[ ]
1503	640	Plant issue fee	[ ]
1460	130	Petitions to the Commissioner	[ ]
1807	50	Processing fee under 37 CFR 1.17(q)	[ ]
1806	180	Submission of Information Disclosure Statement	[ ]
8021	40	Recording each patent assignment per property (times number of properties)	[ ]
1809	770	Filing a submission after final rejection (37 CFR .129(a))	[ ]
1810	770	For each additional invention to be examined (37 CFR 1.129(b))	[ ]
1801	770	Request for Continued Examination (RCE)	[ ]
1802	900	Request for expedited examination of a design application	[ ]
1504	300	Publication fee for early, voluntary, or normal publication	[ ]
1505	300	Publication fee for republication	[ ]
1455	200	Filing application for patent term adjustment	[ ]
1456	400	Request for reinstatement of term reduced	[ ]
Other fee (specify)		Notification of Loss of Entitlement to Small Entity Status	[1,972 ]

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL**

**\$1972**

SUBMITTED BY		Complete (if applicable)			
NAME AND REG. NUMBER	Jeffrey L. Ihnen, Reg. No. 28,957				
SIGNATURE		DATE	August 18, 2004	DEPOSIT ACCOUNT USER ID	02-2135
				xxx	

PATENT MAINTENANCE  
DIVISION

<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>	<i>Application No.</i>	09/725,957
	<i>Filing Date</i>	November 30, 2000
	<i>First Named Inventor</i>	Linda J. Harris
	<i>Group Art Unit</i>	1638
	<i>Examiner Name</i>	David H. Kruse
	<i>Attorney Docket No.</i>	2315-115
Title of the Invention: <b>TOLERANCE OF TRICOTHECENE MYCOTOXINS IN PLANTS THROUGH THE MODIFICATION OF THE RIBOSOMAL L3 GENE</b>		

**NOTIFICATION OF LOSS OF ENTITLEMENT  
TO SMALL ENTITY STATUS UNDER 37 C.F.R. § 1.27(g)(2)  
AND  
REQUEST FOR CORRECTION  
OF ENTITY STATUS UNDER 37 § C.F.R. 1.28(c)**

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

When the filing fee was paid for the present application on 06 June 2001, the attorney handling the application, Jeffrey L. Ihnen, inadvertently overlooked the fact that the assignee was a Canadian governmental entity that did not qualify as a small entity under any federal or state statutes.

It is requested that status for this application be corrected to indicate that the present application should be treated as a large entity. The total amount due is \$1,972.00. A check for \$1,882 is enclosed and the difference of \$90.00 is to be charged to Deposit Account No. 02-2135, to pay for the deficiency between the amount paid on 06 June 2001 and the amount due, as shown below:

*Paid on 6 June 2001*

\$ 355 (Filing Fee)  
27 (Claims)  
65 (Surcharge)  
55 (Extension Fee)

\$ 502

*Large Entity Amount Due*

\$ 770 (Filing Fee)  
54 (Claims)  
130 (Surcharge)  
110 (Extension Fee)

\$1,064

*Difference*

\$ 415  
27  
65  
55

\$ 562

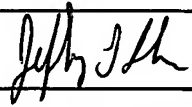
Appl. No. 09/725,957  
Notification/Loss of Entitlement of August 18, 2004  
Page 2

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<u>Paid on 27 January 2003</u>	<u>Large Entity Amount Due</u>	<u>Difference</u>
\$ <u>465</u> (Extension Fee)	\$ <u>950</u> (Extension Fee)	\$ <u>485</u>

<u>Paid on 20 October 2003</u>	<u>Large Entity Amount Due</u>	<u>Difference</u>
\$ 385 (RCE Fee)	\$ 770 (Filing Fee)	\$ 385
55 (Terminal Disclaimer)	110 (Terminal Disclaimer)	55
<u>475</u> (Extension Fee)	<u>950</u> (Extension Fee)	<u>485</u>
\$ 915	\$1,830	\$ 925

Please charge any additional fees or credit any overpayment for the filing fee, any extra claims fees or the surcharge to our Deposit Account No. 02-2135. An additional copy of this letter is enclosed for that purpose.

RESPECTFULLY SUBMITTED,					
NAME AND REG. NUMBER	Jeffrey L. Ihnen, Registration No. 28,957				
SIGNATURE				DATE: August 18, 2004	
Address	Rothwell, Figg, Ernst & Manbeck 1425 K Street, NW, Suite 800				
City	Washington	State	D.C.	Zip Code	20005
Country	U.S.A.	Telephone	202-783-6040	Fax	202-783-6031